

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Panchayat Raj and Rural Development Department - Allegations for not observing the specifications while sanctioning the estimates against Sri M. Gajendran, Executive Engineer, PRI Division, Vijayawada, the then Executive Engineer, PRI Division, Nuziveedu, Krisahna District - Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (CCA) Rules, 1991 - Articles of Charges - Issued.

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PANCHAYATI RAJ AND RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O. Rt. No.1211

Dated 10th July, 2012.

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ORDER:

Whereas it has been brought to the notice of the Government that Sri M. Gajendran, Executive Engineer, PRI Division, Vijayawada, the then Executive Engineer, PRI Division, Nuziveedu, Krisahna District has not observed the specifications while sanctioning the estimates for approving the improper specification of wearing course, failure to obtain insurance policies before concluding the agreements with the Contractors.

2. And where as it is proposed to hold an enquiry against Sri M. Gajendran, Executive Engineer, PRI Division, Vijayawada, the then Executive Engineer, PRI Division, Nuziveedu, Krisahna District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (CCA) Rules, 1991.

3. The substance of the imputations of misconduct or mis-behaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of Charges as Annexure I. A list of documents by which and a list of witnesses, by whom, the Articles of Charges are proposed to be sustained, are also enclosed. (Annexure II and Annexure III).

4. He is directed to submit his Written Statement of Defence within (15) days of the receipt of this order. He is informed that an enquiry will be held, only in respect of those Articles of Charges, as are not admitted. He should, therefore, specifically admit or deny the Article of Charge.

5. He is further informed that if he does not submit his written statement of defence within the prescribed period specified in para-4 above, further action will be processed based on the material available.

6. He is also informed that, as Rule 24 of the Andhra Pradesh Civil Service (Conduct) Rules, 1964 no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule. 24 of the Andhra Pradesh Civil Service (Conduct) Rules, 1964.

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7. The receipt of this order shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHITTA RANJAN BISWAL
PRL. SECRETARY TO GOVERNMENT (PR)

To

Sri M. Gajendran, Executive Engineer, PRI Division, Vijayawada, the then
Executive Engineer, PRI Division, Nuziveedu, Krisahna District

Through The Engineer - in - Chief, Panchayati Raj, Errum Manzil, Hyderabad
The Engineer - in - Chief, Panchayati Raj, Errum Manzil, Hyderabad with a request
to serve the Memo to the individual and return the dated acknowledgement copy
to Government.

SF/SC

// Forwarded by order //

SECTION OFFICER

ANNEXURE - 1

STATEMENT OF ARTICLE OF CHARGES FRMED AGAINST SRI M. GAJENDRAN,
EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, THE THEN EE., PRI DIVISION,
NUZIVEEDU, KRISHNA DIST.

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CHARGE:-

That Sri M. Gajendran, Executive Engineer, PRI, Division, Vijayawada, the then EE., PRI Divn., Nuziveedu has not observed the specifications while sanctioning the estimate for approving the improper specification of wearing course, failure to obtain insurance policies before concluding the agreements with the contractors and failure to scrutinize the agreement specifications before concluding the agreement in connection with execution the work of "FDR to the R/F yanamalakuduru KM 0/0 to Pedapulipaka KM 1/0 of Yamalakuduru" in contravention of A.P. Civil Services (C.C. & A.) Rules, 1991.

BASIS:-

The V&E., officials have inspected the work "FDR to the R/f Yanamalakuduru KM 0/0 to Pedapulapaka KM 1/0 of Yanamalakuduru on 24-06-2010 and furnished the report No. 71 (432/V&E/E2/2010-2, Dt:- 10-08-2011). The work was administratively sanctioned by District Collector, Krishna vide Proceedings in Rc.No. 226/To/flood/2009, Dt:- 24-10-2009, for 931 works with an estimated cost of Rs. 14.03 crores along with other works. The work was technically sanctioned was accorded by the Executive Engineer, PR, Division Nuziveedu D.R. No. 2009-10, Dt:- 26-10-2009 for Rs. 4.90 lakhs. The period of completion of the work was 3 months i.e., work to be completed by 16-01-2010 and as on the day of inspection of V&E., officials (i.e., 24/06/2010) the value of work done was Rs. 4,85,196/-.

Findings of the charge:-

1. The estimate was not properly scrutinized in accordance with the provisions made in MORD or MORTH specifications and prepared and approved duly following the available old sanctioned estimate data which is not in accordance with any of the existing MORTH and MORD specifications.
2. The specifications for open-graded premix surfacing using bitumen of 20mm thickness to serve as a wearing course is specified in clause 508 of MORD as per which a total of qty., of 14.60 Kgs., of bitumen per 10 sqm only is to be used for 10 sqm area. However, in the estimate the item of black top surface dressing is provided using total quantity of 22.10 Kgs of bitumen per 10 sqm. The concerned Assistant Executive Engineer who was prepared the estimate informed that separate tack coat was not provided and the quantity of 22.1 Kgs., of bitumen is inclusive of 7.5 Kgs., of tack coat and 14.6 Kgs for open- graded premix surface dressing (14.6 + 7.5 = 22.1). But as per the specifications of MORTH or MORD only 2.7 Kgs of bitumen emulsion for tack coat is to be allowed resulting into excess usage of bitumen of 4.75 Kgs per 10 sqm for tack cot and there by boosting of estimate by Rs. 15,235/-.
3. In the date of open Graded Premix surfacing 22.1 Kgs was considered whereas 23.80 Kgs was mentioned in the agreement specification.
4. Further in the data for the seal coat 9.80 Kgs per 10 sqm of Bitumen was allowed where as only 6.54 Kgs per 10 sqm was approved agreement specification due to which the contractor was benefited in using less quantity of bitumen (9.80 Kgs 6.54 Kgs = 3.26 Kgs per 10 sqm) while laying seal coat.

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5. As per agreement specifications, the item of Black top surface dressing included 23.80 Kgs of bitumen per 10 sqm and 6.54 Kgs of 80/100 grade bitumen for seal coat i.e., a total of 30.34 Kgs per 10 sqm. Deducting 2.75 Kgs/10 sqm towards tack coat, the quantity of bitumen required is 27.59 Kgs per 10 Sqm (30.34-2.75). Bitumen extraction tests conducted reveal a bitumen content of 24.00 Kgs against the required of 27.59 Kgs per 10 Sqm resulting to a short fall of 3.59 Kgs per 10 sqm i.e., 13.01% An amount of Rs. 34,539/- is to be recovered from the contractor towards short fall in bitumen content.

Thus he failed to observe the specifications while sanctioning the estimates.

Hence, the charge.

CHITTA RANJAN BISWAL
PRL. SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE - II

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHAGES FRAMED AGAINST SRI M. GAJENDRAN, EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, THE THEN EE., PRI DIVISION, NUZIVEEDU, KRISHNA DIST.

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V&E., appraisal Report No.71 (432/V&E/E2/2010-2), Dt:- 10/08/2011, from the General Administration (V&E) Department

CHITTA RANJAN BISWAL
PRL. SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE - III

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI M. GAJENDRAN, EXECUTIVE ENGINEER, PRI DIVISION, VIJAYAWADA, THE THEN EE., PRI DIVISION, NUZIVEEDU, KRISHNA DIST.

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CHITTA RANJAN BISWAL
PRL. SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER